

**Minutes
Regular Meeting
of the
Louisville Metro Air Pollution Control Board
March 18, 2009**

The regular meeting of the Louisville Metro Air Pollution Control Board (Board) was called to order on March 18, 2009, at 10:00 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chairman, Dr. Robert Powell. Other Board members present were Dr. Nadir Al-Shami, Ms. Barbara Sexton Smith, Ms. Vanessa Ruffin, Mr. Ronald Thomas, Ms. Bonnie Biemer, and Mr. Bill Jacob. A quorum was present.

The following Louisville Metro Air Pollution Control District (District) staff members were present: Lauren Anderson, Joseph Schweinhart, Cynthia Lee, Paul Aud, Terri Phelps, Eva Addison, Steve Taylor, Erin Vachon, Shane Corbin, Rick Williams, Karen Thorne, Shannon Clemons, and Monica Little. Also present were Assistant County Attorneys Stacy Fritze and Kathryn Hargraves, and County Attorney staff member Tammy Brown.

The following guests were present: Tim Corrigan, Greater Louisville, Inc.; Mike DeBusschere, KEC; Brad Dillon, GD&M; Barbara Hall, Ford – Kentucky Truck Plant; Carl Hilton, West Jefferson County Community Task Force; Steve Kent, Aker Solutions; Cheryl-Lynne Patrick, Frost Brown Todd; Sarah Scheetz, E.ON U.S.; Paige Mosser Theriac, Theriac Environmental Consultants, Inc.; and Dan Weiss, Duke Energy.

Approval of Minutes

The minutes of the Policy Committee, Public Hearing, and regular Board meeting held on February 18, 2009, were approved as written.

Unfinished Business

Ms. Anderson, Executive Director, updated the Board on the status of the proposed amendment to District *Regulation 2.05, Prevention of Significant Deterioration of Air Quality*. She said the regulation is currently in the public comment period, which will end March 23, 2009.

New Business

A. Board Meeting Handouts

Ms. Anderson asked the Board for their assessment of the monthly Board materials, and if they were interested in receiving the Board meeting materials electronically. Board members agreed to receive the Board materials electronically. The Board requested District staff to provide a URL link on the agenda for each document. Dr. Powell recommended that only copies of Board meeting materials not available electronically be printed for distribution at the Board meeting.

Committee Reports

1. STAR Advisory Group

Dr. Powell, Chair of the STAR Advisory Group (SAG), reported the group has begun meeting since the last board meeting. The group is discussing issues that exist with the STAR permitting process, and how to make the regulations as clear and easy to implement as possible.

Staff Reports

A. Director

Ms. Anderson, Executive Director, stated an article was published in *Leo* magazine that she believed misrepresented the District efforts regarding STAR. Ms. Anderson said she wrote an op-ed recently to clarify some points mentioned in the article.

Ms. Anderson stated EPA has proposed a greenhouse gas reporting rule which will go into effect in 2011. She said the proposed reporting rule affects approximately 13,000 industries in the U.S. who are responsible for the majority of greenhouse gas emissions. Comments on the proposal are being accepted through May 2009. Ms. Anderson said the District will track the proposal and how it will affect the District.

Ms. Anderson reported that the new trial against Cinergy for violations at the Gallagher plant will begin in May 2009. The Department of Justice has contacted the District to provide documents on the Gallagher plant, and is possibly seeking District staff to testify in the case.

Ms. Anderson said the District may have various opportunities to collaborate with other Metro departments to utilize stimulus funding, particularly diesel emission reduction projects. Ms. Anderson stated she is the designated staff member serving on the Metro group discussing how to utilize stimulus funding.

B. Air Quality Data

Dr. Powell reported the community is currently in the ozone season, which began March 1, 2009, and an exceedance has not occurred. The PM_{2.5} levels were up slightly in January 2009 but were lower in February 2009.

The air quality monitoring reports were submitted for filing. A copy of each report is attached to the original minutes.

C. Enforcement Status Reports

Dr. Powell asked for an update on the Louisville Paving case. Ms. Fritze, County Attorney, reviewed the actions the District has taken to resolve the enforcement issue with Louisville Paving. Ms. Fritze stated the case is in Jefferson Circuit Court and awaits a ruling.

The enforcement reports were submitted for filing. A copy is attached to the original minutes.

D. Excess Emission Report

The February 2009 *Excess Emission Reports* were submitted for filing. A copy is attached to the original minutes.

E. Permit Application Reports

Ms. Anderson said the reason some permits have not been issued is due to companies not submitting proper information, or that some permits are extremely complicated. She said the engineering department does an extremely good job at prioritizing permit applications, and that construction permits receive high priority.

The permit application reports were submitted for filing. A copy is attached to the original minutes.

F. Lawn Care for Cleaner Air Awards

Shane Corbin, Environmental Coordinator for the lawn care rebate program, is working with area retailers to promote the program and recently participated in the Home & Garden Expo. In April 2009, the rebate program will be advertised on public radio and in the newspaper.

The list of this month's *Lawn Care for Cleaner Air Award* recipients was submitted for filing. A copy is attached to the original minutes.

Next Meeting

The next regular Board meeting is scheduled Wednesday, April 15, 2009, at 10:00 a.m.

Adjournment

The meeting was adjourned at 10:59 a.m.

Robert W. Powell, M.D.
Chairman

Joseph E. Schweinhart
Secretary-Treasurer